

REQUEST: NON-COMPETITIVE AMENDMENT

APPROVED

Commissioner of Finance & Administration
Date:

Each of the request items below indicates specific information that must be individually detailed or addressed as required.
A REQUEST CAN NOT BE CONSIDERED IF INFORMATION PROVIDED IS INCOMPLETE, NON-RESPONSIVE, OR DOES NOT
CLEARLY ADDRESS EACH OF THE REQUIREMENTS INDIVIDUALLY AS REQUIRED.

RFS #

316.12-024

STATE AGENCY NAME :

Tennessee Advisory Commission on Intergovernmental Relations

SERVICE CAPTION :

Conduct a study of education resource allocation in Tennessee

CONTRACT #

FA-02-14854-01

PROPOSED AMENDMENT #

02

CONTRACTOR :

RAND

CONTRACT START DATE :

April 15, 2002

CURRENT, LATEST POSSIBLE END DATE :
(including ALL options to extend)

January 14, 2005

CURRENT MAXIMUM LIABILITY :

\$425,000

LATEST POSSIBLE END DATE WITH PROPOSED AMENDMENT :
(including ALL options to extend)

October 14, 2005

TOTAL MAXIMUM COST WITH PROPOSED AMENDMENT :
(including ALL options to extend)

\$425,000

APPROVAL CRITERIA :
(select one)



use of Non-Competitive Negotiation is in the best interest of the state



only one uniquely qualified service provider able to provide the service

ADDITIONAL REQUIRED REQUEST DETAILS BELOW (address each item immediately following the requirement text)

(1) description of the proposed additional service and amendment effects :

The contract amendment is a request for time extension only. There would be no modification of the scope of services, except as it relates to the deliverables timeline. The amendment would provide the vendor sufficient time to complete the outstanding deliverables.

The outstanding deliverables include providing a briefing report that builds on the first deliverable which updated and extended the statistical analysis of National Assessment of Education Program (NAEP) data by focusing on the performance and explanation of Tennessee student results state-wide and by locality and racial/ethnic group. The second deliverable would be a briefing report that included the gathering of supplemental data on resources and families across Tennessee school districts and schools. The third deliverable would be a final report that included a separate executive summary.

(2) explanation of need for the proposed amendment :

All of the required deliverables have not been completed yet. A time extension is needed in order to provide sufficient time for the vendor to complete the outstanding deliverables. The delayed completion is not the fault of the contracted vendor. The delay is due to the NAEP data for 2002 and 2003 not being available until over a year later than the Department of Education's original schedule when the contract was signed. The NAEP data for 2002 and 2003 and its analysis was critical to delivering the first report (deliverable). Since the data has become available, it has been more complicated for RAND to work with due to variables being eliminated from the 2002 and 2003 data sets that had been collected previously on all NAEP data from 1990-2000, and due to rising exclusion rates in 2002 and 2003.

(3) name and address of the proposed contractor's principal owner(s) :
(not required if proposed contractor is a state education institution)

The RAND Corporation is a 501(c)(3) nonprofit public benefit corporation whose stated purpose is to further and promote scientific, educational, and charitable purposes, all for the public welfare and security of the United States of America. RAND is incorporated in the State of California and is governed by a Board of Trustees which exercises all corporate powers and controls the business and affairs of RAND. There is no "owner" in the generally recognized sense, i.e. there is no equity ownership of RAND; the organization is held in the public trust. For this case, the closest thing to an owner would be the Board of Trustees.

The current RAND Board of Trustees is attached.

(4) documentation of OIR endorsement of the Non-Competitive procurement request :
(required only if the subject service involves information technology)

select one:



Documentation Not Applicable to this Request



Documentation Attached to this Request

(5) documentation of Department of Personnel endorsement of the Non-Competitive procurement request :
(required only if the subject service involves training for state employees)

select one:



Documentation Not Applicable to this Request



Documentation Attached to this Request

(6) description of procuring agency efforts to identify reasonable, competitive, procurement alternatives rather than to use non-competitive negotiation :

Procurement alternatives are not considered a viable option at this point in the process. The contracted scope of services is significantly complete and the vendor's performance thus far is deemed to be outstanding in every aspect. The delayed completion of the contracted reports has not been the fault of RAND.

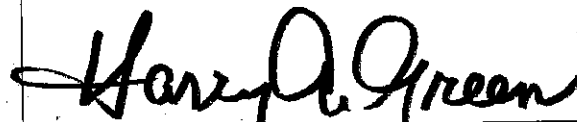
As detailed at the beginning of the contract process in the spring of 2002, RAND is uniquely positioned to produce this study for Tennessee. They have long history of applying empirical techniques to evaluate school reform. Through an agreement between RAND and SAS, Inc., Dr. David Grissmer (RAND's Senior Management Scientist and primary author of the NAEP study) has had access to data from the Tennessee Value Added Assessment System and the expertise of Dr. Bill Sanders..

(7) justification of why the F&A Commissioner should approve a Non-Competitive Amendment :

Without the contract term extension, the potential benefit to be derived from the reports will not be realized. The allocation of resources to education is an extremely critical issue now facing this state and local governments. The RAND reports would serve as an excellent tool for the state to use as it weighs various courses of action regarding the funding of education.

AGENCY HEAD REQUEST SIGNATURE:

(must be signed by the ACTUAL procuring agency head as detailed on the Signature Certification on file with OCR — signature by an authorized signatory will be accepted only in documented exigent circumstances)



SIGNATURE DATE

1-12-05

CONTRACT SUMMARY SHEET

RFS Number: 316.12-024	Contract Number: FA-02-14854-01
State Agency: TACIR	Division: TACIR
Contractor: RAND	
Contractor Identification Number: 95-1958142	
<input checked="" type="checkbox"/> V- <input type="checkbox"/> C-	

Service Description:
 Conduct a study of education resource allocation in Tennessee.

Contract Begin Date: 04-15-02	Contract End Date: 01-14-05
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Allotment Code	Cost Center	Object Code	Fund	Grant	Grant Code	Subgrant Code
316.12	10080	083	11	<input type="checkbox"/> on STARS		

FY	State Funds	Federal Funds	Interdepartmental Funds	Other Funding	Total Contract Amount (including ALL amendments)
02				0	0
03				162,300	162,300
04				262,700	262,700
05				0	0
Total:				425,000	425,000

CFDA #	Check the box ONLY if the answer is YES:
State Fiscal Contact Name: Ron Plumb - 226 Capitol Blvd. Address: Suite 508, Nashville, Tn 37243 Phone: 615-741-3483	Is the Contractor a SUBRECIPIENT? (per OMB A-133)
	Is the Contractor a VENDOR? (per OMB A-133) X
	Is the Fiscal Year Funding STRICTLY LIMITED?
	Is the Contractor on STARS? X
	Is the Contractor's FORM W-9 ATTACHED?
Procuring Agency Budget Officer Approval Signature 	Is the Contractors Form W-9 Filed with Accounts? X

COMPLETE FOR ALL AMENDMENTS (only)			Funding Certification	
END DATE →	Base Contract & Prior Amendments	This Amendment ONLY	Pursuant to T.C.A., Section 9-6-113, I, M. D. Goetz, Jr., Commissioner of Finance and Administration, do hereby certify that there is a balance in the appropriation from which this obligation is required to be paid that is not otherwise encumbered to pay obligations previously incurred.	
	01-14-04	01-14-05		
FY: 02	0	0		
FY: 03	162,300	0		
FY: 04	262,700	0		
FY: 05	0	0		
Total:	425,000	0		

PROCESSED

DEC 23 2007

DIRECTOR OF ACCOUNTS

RECEIVED
 2007 DEC 10 PM 2:33
 COMPTROLLER'S OFFICE
 OFFICE OF
 MANAGEMENT SERVICES

**AMENDMENT 01
TO CONTRACT FA-02-14854-00**

This contract, by and between the State of Tennessee, Advisory Commission on Intergovernmental Relations, hereinafter referred to as the State, and RAND, hereinafter referred to as the Contractor, is hereby amended as follows:

1. Delete Section B.1. in its entirety and insert the following in its place:

Contract Term. This Contract shall be effective for the period commencing on 4/15/02 and ending on 1/14/05. The State shall have no obligation for services rendered by the Contractor which are not performed within the specified period.

2. Delete Section B.2. in its entirety.

The other terms and conditions of this contract not amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF:

RAND:

Joanne B. Shelby 12/08/03
Joanne B. Shelby, Director Contract and Grant Services Date

TENNESSEE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS:

Harry A. Green 12/9/03
Harry A. Green, Executive Director Date

APPROVED:

DEPARTMENT OF FINANCE AND ADMINISTRATION:

M. D. Goetz, Jr. 12-10-03
M. D. Goetz, Jr., Commissioner Date

DEPARTMENT OF PERSONNEL:

NOT APPLICABLE

Randy C. Camp Date
Randy C. Camp, Commissioner

COMPTROLLER OF THE TREASURY:

John G. Morgan 12/11/03
John G. Morgan, Comptroller of the Treasury Date

CONTRACT SUMMARY SHEET

RFS Number:	316.12-024	Contract Number:	FA-02-14854-00
State Agency:	TACIR	Division:	TACIR
Contractor		Contractor Identification Number	
RAND		<input checked="" type="checkbox"/> V- <input type="checkbox"/> C-	95-1958142

Service Description

Conduct a study of education resource allocation in Tennessee.

Contract Begin Date	Contract End Date
04/15/02	01/14/04 <i>82</i>

Allotment Code	Cost Center	Object Code	Fund	Grant	Grant Code	Subgrant Code
316.12	10080	083	11	<input type="checkbox"/> on STARS		

FY	State Funds	Federal Funds	Interdepartmental Funds	Other Funding	Total Contract Amount (including ALL amendments)
03				162,300	162,300
04				262,700	262,700
Total:				425,000	425,000

CFDA #		Check the box ONLY if the answer is YES:
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State Fiscal Contact		Is the Contractor a SUBRECIPIENT? (per OMB A-133)		
Name:	John Lamar - 226 Capitol Blvd Bldg.	Is the Contractor a VENDOR? (per OMB A-133)		X
Address:	Suite 508, Nashville, Tn 37243	Is the Fiscal Year Funding STRICTLY LIMITED?		X
Phone:	615-741-3483	Is the Contractor on STARS?		X
Procuring Agency Budget Officer Approval Signature 		Is the Contractor's FORM W-9 ATTACHED?		
		Is the Contractors Form W-9 Filed with Accounts?		X

COMPLETE FOR ALL AMENDMENTS (only)			Funding Certification	
	Base Contract & Prior Amendments	This Amendment ONLY	Pursuant to T.C.A., Section 9-6-113, I, C. Warren Neel, Commissioner of Finance and Administration, do hereby certify that there is a balance in the appropriation from which this obligation is required to be paid that is not otherwise encumbered to pay obligations previously incurred.	
END DATE →				
FY:				
FY:				
FY:				
FY:				
Total			<div style="text-align: center;"> RECEIVED APR 16 AM 11:13 COMPTROLLER'S OFFICE OF MANAGEMENT SERVICES </div>	
Total				

MAY - 2 2004

OFFICE OF ACCOUNTS